IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.8022 OF 2005

Sanjay Vasant Kolapkar ...Applicant
Versus
State of Maharashtra ...Respondent

Shri B.A.Allor for the Applicant.
Shri R.Y.Mirza A.P.P for the Respondent.

CORAM : S.C. DHARMADHIKARI, J.
DATE : DECEMBER 22, 2005.

P.C.:

1. Heard Mr.B.A.Allor for applicant and Mr.Mirza - APP for respondent.

2. It is not disputed that as far as present offence is concerned, the other accused have been enlarged on bail. Brother A.S.Oka, J. in Criminal Application No.6464 of 2005 filed by Suhas Bongale - the other accused, has narrated the facts in nut shell. Similarly, one more accused whose name is mentioned in the complaint by the prosecutrix, Sandesh Kolapkar - the brother of the applicant, is also enlarged on bail. The allegations as far as present applicant are identical. There is no distinguishing feature which could be called out from the statement of the prosecutrix. In the light of the aforesaid, on the grounds of parity, the applicant is entitled to similar reliefs.

3. Accordingly, following order :

i) The applicant shall be enlarged on bail in connection with C.R.No.250/2005 registered with Kothrud Police Station, Pune subject to furnishing a personal bond of Rs.15,000/- with one or two local sureties in the like amount;

ii) Bail is granted subject to the condition that the applicant will report to the concerned Police Station on every Sunday till conclusion of trial;

iii) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

iv) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

v) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial.

vi) Application disposed of in above terms.

(S.C.DHARMADHIKARI,J.)